

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**CALVIN LEE MARSHALL,
ADC #90207**

PLAINTIFF

v.

CASE NO. 5:11CV00239 BSM/JTK

REVONNA WALKER, et al.

DEFENDANTS

ORDER

The proposed findings and recommended partial disposition submitted by United States Magistrate Judge Jerome T. Kearney and the filed objections have been reviewed. After carefully considering these documents and making a *de novo* review of the record, it is concluded that the proposed findings and recommended partial disposition should be, and hereby are, approved and adopted in their entirety in all respects.

IT IS THEREFORE ORDERED that:

1. Defendants' motions to dismiss [Doc. Nos. 26, 30] be GRANTED IN PART, with respect to Marshall's claim for injunctive relief in the form of release from the behavioral modification program.
2. Defendants' motions to dismiss [Doc. Nos. 26, 30] be GRANTED IN PART, with respect to specific incidents which occurred prior to September 12, 2008.
3. Defendants' motions to dismiss [Doc. Nos. 26, 30] be DENIED, with respect to Marshall's claims for denial of due process, retaliation, equal protection, and unconstitutional program.

Dated this 16th day of July 2012.

Brian S Miller

UNITED STATES DISTRICT JUDGE